

To: Members of the Judiciary Committee

From: Michele Voigt, Connecticut Survivor Lead of Moms Demand Action for Gun Sense in America; Greenwich, CT

Re: In **Support** of H.B. 6355

Date: February 24, 2021

Dear Senator Winfield, Representative Stafstrom, Senator Kasser, Representative Blumenthal, Ranking Members Kissel and Fishbein, and Distinguished Members of the Judiciary Committee:

My name is Michele Voigt, and I am a Greenwich resident and a mother of two young children. I am a volunteer leader with Moms Demand Action and serve as the Survivor Lead for Connecticut. Today, I am testifying on behalf of the Connecticut Chapter of Moms Demand Action for Gun Sense in America in support of House Bill 6335, AN ACT CONCERNING RISK PROTECTION ORDERS OR WARRANTS.

My Aunt Louise loved me before she knew me. Just seven years older than myself, in my eyes she was magical. She was beautiful and full of life, full of everything, full of joy and despair. Aunt Louise was my hero and my biggest fan.

An unrivaled free spirit, she loved huskies, everything purple, and all wildlife – including black bears. A Flag Majorette in the Alabama Million Dollar Marching Band, Aunt Louise was the true definition of a ‘Bama-fanatic. So concerned was she for the horses penned on a nearby military base, that she freed them.

Her acts of compassion became legendary. One afternoon she pulled into a gas station, stood on the corner, and announced “free gas!” She handed the attendant her ATM card, and the fuel began to flow. A concerned clerk called the bank and eventually they found my Uncle Joe. Upset, he demanded she stop. The clerk cut off the gas, but my Aunt Louise, undeterred, turned around and gave the next person in line Uncle Joe’s Porsche.

Aunt Louise was magical. Aunt Louise was bipolar. Each of these adventures secured her return to the psychiatric hospital.

Despite interruptions, she returned to college and graduated Summa Cum Laude with a B.S. in Business Management. She became a successful Financial Advisor for PNC Investments. She loved God and her country, her cabin in Pennsylvania, and visiting her niece and nephews in New York City. Her visits always came with stories, and she always brought with her someone

new. There were visits when she was the daughter of the Governor, spoke a dozen languages, or had professional degrees of every designation.

She referred to herself as my “crazy” Aunt Weezie and never shied from the satire. She was not ashamed of her illness and she worked diligently to break the stigma associated with it. She fought every day of her life to live.

When she was doing well, she would stop taking her medications. She was hospitalized several times a year.

In August of 2016, she was very stressed. They had decided to sell their home and retire. She called me a lot during those days, but not my mother. She said my mother would be “on to her” and try to “lock her up.” I was overwhelmed and felt powerless.

Aunt Louise was hospitalized once more and never spoke to me again. She would occasionally respond by email or text message. The last was before Christmas to say she would not be buying my daughters gifts this year. She loved Christmas.

On January 10, 2017, my Aunt Louise sent my uncle out for a walk. She stepped outside their new home onto the front lawn and shot herself in the head.

My Aunt Louise should have never had access to a firearm.

She fought every day of her life to survive her bipolar disorder. With that firearm in hand, all her struggles, accomplishments, and magic were gone, extinguished in one manic moment.

In 1999, Connecticut became the first state in the nation to pass an Extreme Risk law. In the intervening years, 18 other states and Washington D.C. have implemented versions of the law,<sup>1</sup> and have found ways to make this lifesaving legislation more effective and accessible. The time has come for Connecticut to revisit the law, and ensure we have one of the strongest Extreme Risk laws in the nation. Moms Demand Action for Gun Sense in America supports the updates to Connecticut’s current Extreme Risk law, as proposed in H.B. 6355.

It would expand the eligibility of those who could petition the court for an Extreme Risk Protection Order. Under current law, two law enforcement officials or an Assistant State’s Attorney can seek an Extreme Risk Protection Order. Under this new proposal, family and household members, specified medical professionals, and only one police officer would be able to petition the court for an Extreme Risk Protection Order, in addition to an Assistant State’s Attorney.

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<sup>1</sup> Everytown for Gun Safety Support Fund, “Extreme Risk Laws Save Lives,” March 23, 2020, <https://everytownresearch.org/extreme-risk-laws-save-lives/>.

The bill would also prevent a person subject to an order from obtaining new firearms. Under current law, an individual who is found by the court to pose a danger to themselves or others is required to forfeit their guns but is not prevented from purchasing a new weapon.

The most notable change that we are supporting is to allow family and household members to directly petition the court to issue an Extreme Risk Protection Order. Unable to directly request an order from the court, family members of people in crisis are denied direct access to the risk protection process. Those who may first recognize dangerous warning signs are deprived direct access to a lifesaving tool. This type of order is designed to intervene during a crisis when time is of the essence; eliminating the middleman and allowing family members to approach the courts themselves will save precious time and lives.

Family members are often the first to recognize when their loved one is in crisis, and that's why they must have a way to take direct action. In fact, in Connecticut, from 1999-2013, of the 762 cases reported to police, 41 percent of these reports were from family members.<sup>2</sup> Similarly, during the fourth quarter of 2018, in Maryland, 41 percent of those seeking Extreme Risk Protection Orders were family members.<sup>3</sup>

Connecticut set an example for the nation when it passed one of the first Extreme Risk laws. Still, it is time lawmakers modernize the bill by including family members as petitioners. On average, someone dies from suicide every three days in our state<sup>4</sup>—this is unacceptable. H.B. 6355 will empower family members to directly petition the court to temporarily remove guns from loved ones who could be a risk to themselves or others and require the secure storage of firearms owned by others, but accessible to the person of risk.

Extreme Risk laws contain robust due process protections. Under the current law, a petitioner must prove to a judge that there is sufficient credible evidence to believe a respondent poses a threat to themselves or others. If that standard is not met, a Risk Warrant is not issued. H.B. 6355 does nothing to change that standard here in Connecticut. What the bill would do is expand the list of people who can directly apply for an order to include family and household members, the individuals who frequently are the first to realize when a loved one is in crisis.

For families living with the trauma of a loved one in crisis due to mental or addiction illnesses, calling law enforcement to intervene with their child or family member is frightening. It is a decision that evokes a range of emotions from anger, humiliation, guilt, and betrayal.

I assure you that “calling the police” or requesting the involvement of law enforcement would have been a tough and unlikely decision for anyone in my family to make.

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<sup>2</sup> Jeffrey W. Swanson et al., “Implementation and Effectiveness of Connecticut's Risk-Based Gun Removal Law: Does It Prevent Suicides?” *Law and Contemporary Problems* 80 no. 2, 2017: 179-208.

<sup>3</sup> Maryland Courts, Extreme Risk Protection Order Statistics, 4th Quarter 2018, [https://www.mdcourts.gov/sites/default/files/import/district/statistics/2018/ERPO\\_Q42018.pdf](https://www.mdcourts.gov/sites/default/files/import/district/statistics/2018/ERPO_Q42018.pdf).

<sup>4</sup> Everytown for Gun Safety Support Fund, “EveryStat: Connecticut,” <http://everystat.org/#Connecticut>.

The ability to go directly to the court will translate into lives saved. Increased public education and clear instructions on forms with online access will also increase family access and save lives. (Sec.2. Subsection (a) (1) (2)).

A study of Connecticut's Extreme Risk law by researchers from Yale University, Duke University, and University of Connecticut found "one suicide was averted for every 10 to 20 gun seizures, or between 38 and 76 in total, between 1999 and 2013."<sup>5</sup>

Following Connecticut's increased enforcement of its Extreme Risk law, one study found the law to be associated with a 14 percent reduction in the state's firearm suicide rate.<sup>6</sup> This is a legal framework that is successful in preventing suicides. H.B. 6355 would expand access to this law and save lives.

H.B. 6355 has life saving potential for people like my Aunt Louise. It offers families, like my own, to petition the court directly to remove or secure a firearm from a person who is at risk. I strongly request your support of H.B. 6355.

Thank you for your time and consideration,

Michele Voigt  
Moms Demand Action for Gun Sense in America – Connecticut Chapter  
Survivor Lead  
Greenwich, CT

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<sup>5</sup> Christopher Gardner, "Yale, Duke, UConn Researchers: Gun-seizure Law Prevents Suicides," press release, November 28, 2016, <https://medicine.yale.edu/news-article/13939/>; Jeffrey W. Swanson et al., "Implementation and Effectiveness of Connecticut's Risk-Based Gun Removal Law: Does It Prevent Suicides?" *Law and Contemporary Problems* 80 no. 2, 2017: 179-208.

<sup>6</sup> Aaron J. Kivisto and Peter Lee Phalen, "Effects of Risk-Based Firearm Seizure Laws in Connecticut and Indiana on Suicide Rates, 1981–2015," *Psychiatric Services* 69 no. 8, 2018: 855-62.